



OFFICE OF THE COUNTY ADMINISTRATOR
Citrus County Board of County Commissioners
Executive Offices

3600 W. Sovereign Path, Lecanto, FL 34461
Phone: (352) 527-5210 Fax: (352) 527-5204

"We will be a user-friendly and common sense organization dedicated to responsive citizen services."

June 27, 2019

EOL 19-46

Mr. Garrett Ripa
Immigration and Customs Enforcement
@garrett.j.ripa@dhs.gov

Mr. Garrett Ripa,

The Citrus County jail is operated by the County through a contract with CoreCivic. The County is aware of SB 168 that creates a new chapter of Florida Statutes entitled "Federal Immigration Enforcement". This bill seeks to ensure that State and local entities and law enforcement agencies cooperate with federal government office to enforce, not obstruct immigration laws.

The County will continue to enforce State and local laws regarding immigration including SB 168, however, since the agreement requires review by the County Attorney and approval by the Board of County Commissioners the earliest that can be considered is at the board meeting on July 23, 2019.

Please rest assured the County will continue to cooperate with Immigration and Customs Enforcement and comply with SB 168.

If you have any questions or I can be of any assistance, please feel free to contact me.

Sincerely,

Charles R. "Randy" Oliver
County Administrator

xc: Mike Quinn, Warden
The Honorable Mike Prendergast
Major Elaina Vitt
Major Justin Ferrara
Captain Misty Clendenney
Denise Lyn, County Attorney

Randy Oliver

From: Quinn, Mike <Mike.Quinn@corecivic.com>
Sent: Wednesday, June 26, 2019 10:46 AM
To: Randy Oliver
Subject: [EXTERNAL]FW: FSA Legislative Update: Gov. Signs SB 168 (Immigration Enforcement)
Attachments: BOA GENERAL TERMS AND CONDITIONS.docx

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Can you review the section in yellow below and advise?

Thanks!

From: Clendenney, Misty <MClendenney@sheriffcitrus.org>
Sent: Tuesday, June 25, 2019 12:26 PM
To: Quinn, Mike <Mike.Quinn@corecivic.com>
Subject: FW: FSA Legislative Update: Gov. Signs SB 168 (Immigration Enforcement)

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You guys have one of these?

From: Ferrara, Justin
Sent: Monday, June 24, 2019 6:21 PM
To: Clendenney, Misty <MClendenney@sheriffcitrus.org>
Subject: FW: FSA Legislative Update: Gov. Signs SB 168 (Immigration Enforcement)

See if Core Civic has this.

From: Matt Dunagan <mdunagan@flsheriffs.org>
Sent: Monday, June 24, 2019 5:18 PM
To: !Sheriffs <sheriffs@flsheriffs.org>
Cc: 'Garrett Ripa' <garrett.j.ripa@ice.dhs.gov>; !Sheriffs Assistants <Assistants@flsheriffs.org>; !Chief Deputies <chiefdeputies@flsheriffs.org>; !Jail Administrators <jailadmins@flsheriffs.org>
Subject: RE: FSA Legislative Update: Gov. Signs SB 168 (Immigration Enforcement)

Sheriffs,

Please see the attached updated BOA for sheriffs who have not yet submitted their BOA to ICE.

If you have previously submitted your BOA you do not need to resubmit it.

The only difference with the attached BOA is that it includes a line on page 2 for ICE to sign. The sheriff will sign the first line on the left hand side and then list his name, title and county.

Matt Dunagan, Deputy Executive Director of Operations
(850) 877-2165 x. 5807 (office)
(850) 274-3599 (cell)

FLORIDA SHERIFFS ASSOCIATION | Protecting, Leading & Uniting Since 1893.

From: Matt Dunagan <mdunagan@flsheriffs.org>

Sent: Monday, June 17, 2019 9:59 AM

To: !Sheriffs <sheriffs@flsheriffs.org>

Cc: 'Garrett Ripa' <garrett.j.ripa@ice.dhs.gov>; !Sheriffs Assistants <Assistants@flsheriffs.org>; !Chief Deputies <chiefdeputies@flsheriffs.org>; !Jail Administrators <jailadmins@flsheriffs.org>; !Legislative Committee <legislativecommittee@flsheriffs.org>

Subject: FSA Legislative Update: Gov. Signs SB 168 (Immigration Enforcement)

Importance: High

Sheriffs,

On Friday, Governor DeSantis signed SB 168. The bill creates a new chapter of Florida Statutes entitled "Federal Immigration Enforcement" and seeks to ensure that state and local entities and law enforcement agencies cooperate with federal government officials to enforce, and not obstruct, immigration laws. The effective date is July 1.

Please review the attached FSA legal alert and the below summary on SB 168.

Any sheriff who operates the county jail will need at a minimum an Intergovernmental Service Agreement (IGSA) or a Basic Ordering Agreement (BOA).

The BOA is attached and can be signed and emailed to Garrett Ripa at ICE (garrett.j.ripa@ice.dhs.gov). Once the BOA is sent it usually takes about 24-48 hours to finalize.

If you have any questions or concerns please call me or Wayne Evans any time. Thank you.

Issue: **Federal Immigration Enforcement**

Outcome: **Passed. Chapter No. 2019-**

Effective: **July 1, 2019**

(HB 527 Rep. Byrd and SB 168 Sen. Gruters)

The bill creates a new chapter of Florida Statutes entitled "Federal Immigration Enforcement" and seeks to ensure that state and local entities and law enforcement agencies cooperate with federal government officials to enforce, and not obstruct, immigration laws. The bill prohibits sanctuary jurisdictions and requires state and local entities to comply with federal immigration detainers when they are supported by proper documentation. Specifically, the bill:

- Prohibits a state entity, law enforcement agency, or local governmental entity, from having a sanctuary policy.
- Requires a covered government body to use its best efforts to support the enforcement of federal immigration law.

- Prohibits a state entity, local governmental entity, or law enforcement agency from restricting a law enforcement agency's ability to communicate or exchange information with a federal immigration agency on immigration enforcement matters.
- Requires a law enforcement agency that has custody of someone who is subject to an immigration detainer to notify the judge of the detainer, record in the person's file the existence of the detainer and comply with the detainer.
- Requires a county correctional facility to enter into an agreement with a federal immigration agency for the payment of costs associated with housing and detaining defendants.
 - A compliant agreement may include any contract between a correctional facility and a federal immigration agency for housing or detaining persons subject to immigration detainers. This could include:
 - Intergovernmental Service Agreement (IGSA) or
 - Basic Ordering Agreement (BOA)
- An additional agreement that a county correctional facility could enter into to improve coordination with ICE, but does not pertain to payment of costs associated with housing and detaining defendants include:
 - Warrant Service Officer Program
 - 287g
- Those identified as sanctuary policymakers are subject to actions by the Governor which include suspension or removal from office as authorized by state law and the State Constitution. Public funds may not be used to defend or reimburse a sanctuary policymaker who knowingly and willfully violates the law.

Impact to Sheriffs: Sheriffs who operate a jail must enter into an agreement with ICE for housing or detaining persons subject to immigration detainers by July 1, 2019. A compliant agreement may include, an IGSA or a BOA, but may also include other similar agreements authorized by federal law. Failure to do so can cause a sheriff to be removed from office by the Governor. Additionally, sheriffs who operate jails may enter into a WSO or 287g in addition to any of the above-mentioned housing or detaining agreements but will not on their own satisfy the requirements under this bill.

Matt Dunagan, Deputy Executive Director of Operations
 (850) 877-2165 x. 5807 (office)
 (850) 274-3599 (cell)

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GENERAL TERMS AND CONDITIONS

This Basic Ordering Agreement (BOA) is governed by the following terms and conditions:

The Service Provider shall provide U.S. Immigration and Customs Enforcement (ICE) with reasonable access to all detainees or inmates for purposes of interviewing such individuals for immigration enforcement related purposes.

SERVICES: The Service Provider shall house detainees pursuant to the issuance and acceptance of Form I-203 (Order to Detain or Release Alien) accompanied by Form I-247A (Immigration Detainer – Notice of Action) and either a Form I-200 (Warrant for Arrest of Alien) or Form I-205 (Warrant of Removal), consistent with Section 287.7(d) and (e) of Title 8 of the Code of Federal Regulations.

ORDERS: Only ICE purchase card holders have the authority to order against this BOA. Under no circumstance shall an order exceed \$2,500.00.

COMMENCEMENT OF SERVICES: Services will commence at the time of the alien's scheduled release from State custody after issuance and acceptance of Form I-203 (Order to Detain or Release Alien) accompanied by Form I-247A (Immigration Detainer – Notice of Action) and Form I-200 (Warrant for Arrest of Alien) or Form I-205 (Warrant of Removal) issued by ICE. Services end when properly identified ICE personnel remove the alien from the Service Provider's facility or issue another Form I-203 (Order to Detain or Release Alien), or after 48 hours of detention, whichever occurs first.

RATES: For any order issued under this BOA, the rate will be fixed at \$50.00 for up to 48 hours of detention. No payment will be made for any detention beyond 48 hours, and the Service Provider will not house the alien for longer than 48 hours under this BOA.

ALTERATIONS: Any changes to the terms and conditions of this BOA will be done by written modification and signed by the Contracting Officer. Changes or amendments to any orders issued pursuant to this BOA shall not be accepted.

PAYMENT: Payments shall be made by Purchase Card (P-Card). The Service Provider's Taxpayer Identification Number (TIN) and DUNS number must be registered in the Systems for Award Management (www.sam.gov) prior to issuance of an order.

PUBLIC DISCLOSURES: Information obtained or developed as a result of this BOA is under the control of ICE and is subject to public disclosure only pursuant to the provisions of applicable federal laws, regulations, policies, and executive orders or as ordered by a court. Insofar as any documents created by the Service Provider contain information developed or obtained as a result of this BOA, such documents shall be subject to public disclosure only pursuant to the provisions of applicable federal laws, regulations, policies, and executive orders or as ordered by a court. If the Service Provider receives a request for such information, including pursuant to state law, the Service Provider will refer the request to ICE for appropriate action. To the extent the Service Provider intends to release the BOA or any information relating to, or exchanged under, this BOA, the Service Provider agrees to coordinate with the ICE Contracting Officer prior to such release. The Service Provider may, at its discretion, communicate the substance of this BOA when requested. ICE

BOA No.

understands that this BOA will become a public document when presented to the Service Provider's governing body for approval if required.

William J Quigley
Unit Chief-Contracting Officer
US Immigration and Customs Enforcement